

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, NOVEMBER 20, 2003
8:15 A.M.**

Commissioners Present: Ray Stevens, Vice Chair
Larry Hudkins
Bob Workman
Deb Schorr

Commissioners Absent: Bernie Heier, Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Vice Chair opened the meeting at 8:17 a.m.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
NOVEMBER 13, 2003**

MOTION: Workman moved and Hudkins seconded approval of the Staff Meeting minutes of November 13, 2003. Workman, Stevens and Hudkins voted aye. Schorr was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Purchase of Additional Disk Space for County Server (Exhibit A)
- B. Modification of Records & Information Management's Budget Request for Microcomputer Request C#2003-424 (Exhibit B)
- C. Revenue Sharing Payment Option with Nationwide Retirement Solutions (NRS)
- D. Amendment to the City's Proposed Smoking Ordinance to Include the City's Three Mile Zoning Jurisdiction (Exhibit C)

MOTION: Hudkins moved and Workman seconded approval of the additions to the agenda. Hudkins, Stevens and Workman voted aye. Schorr was absent from voting. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. Information Services Policy Committee (ISPC) - Stevens

Stevens said the ISPC discussed running fiber optic cables to outlying government buildings within the community.

B. Board of Health - Hudkins

Hudkins said the Board of Health reviewed plans for expansion of the Lincoln/Lancaster County Health Department Building at 3140 N Street.

C. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens, Workman

Stevens and Workman said the proposed smoking ordinance, closure of Old Cheney Road at Highway 77 and the Lincoln Public Schools were discussed.

ADDITIONS TO THE AGENDA

A. Purchase of Additional Disk Space for County Server (Exhibit A)

Kerry Eagan, Chief Administrative Officer, said he authorized Information Services to proceed with the purchase.

MOTION: Hudkins moved and Workman seconded to ratify the purchase. Hudkins, Stevens and Workman voted aye. Schorr was absent from voting. Motion carried.

B. Modification of Records & Information Management's Budget Request for Microcomputer Request C#2003-424 (Exhibit B)

MOTION: Workman moved and Hudkins seconded approval. Workman, Hudkins and Stevens voted aye. Schorr was absent from voting. Motion carried.

C. Revenue Sharing Payment Option with Nationwide Retirement Solutions (NRS)

Eagan asked whether the Board would prefer to receive the \$40,000 payment upfront or in quarterly installments.

MOTION: Hudkins moved and Workman seconded to accept the payment upfront. Hudkins, Stevens and Workman voted aye. Schorr was absent from voting. Motion carried.

The Pension Review Committee will be asked to make recommendation on how to utilize those funds.

Eagan said Segal Advisors has submitted a bill in the amount of \$25,000 for pension plan consultant services but did not fulfill the terms of the contract.

MOTION: Hudkins moved and Workman seconded to authorize Kerry Eagan, Chief Administrative Officer, to send a letter to Segal Advisors outlining the County Board's concerns regarding completion of services and indicating that the County Board would like to discuss terms of a settlement for the outstanding balance. Hudkins, Stevens and Workman voted aye. Schorr was absent from voting. Motion carried.

4 SUPPLEMENTARY INSURANCE THROUGH AMERICAN FAMILY LIFE ASSURANCE COMPANY OF COLUMBUS (AFLAC) - Don Taute, Personnel Director; Bill Kostner, City Risk Manager; Daryl Bell, Milliman USA

Daryl Bell, Milliman USA, presented Voluntary Benefit Company Comparison (Exhibit D).

Workman expressed reluctance to endorse a specific plan, noting employees can obtain this type of coverage on their own.

The Board asked Bell to further research: 1) Impact to returns under disability coverage with CNA; 2) Covered conditions; and 3) Payment history. Bell will report back on December 4, 2003.

5 REQUEST FOR PROPOSALS (RFP) FOR COUNTY AUDIT; INVESTMENT OF LANCASTER LEASING CORPORATION RESERVE FUNDS - Dave Kroeker, Budget and Fiscal Officer; Kathy Smith, Assistant Purchasing Agent; Kristy Mundt, Deputy County Attorney

RFP for County Audit

Dave Kroeker, Budget and Fiscal Officer, said the three year contract with Hays & Associates , L.L.C. for auditing services is due to expire and said the Purchasing Department recommends going out for a Request for Proposals (RFP). He said the County Attorney's Office has reviewed the insurance requirements and indicated a \$2 million general aggregate is acceptable.

Stevens suggested that respondents be asked to indicate the difference in their cost for a \$2 million or \$5 million general aggregate.

Schorr arrived at 9:29 a.m.

Kroeker said he will withdraw from the evaluation committee if Deloitte & Touche submits a bid (conflict of interest).

MOTION: Workman moved and Hudkins seconded to: 1) Proceed with a Request for Proposals (RFP) for auditing services; and 2) Remove Dave Kroeker, Budget and Fiscal Officer, from the evaluation committee if Deloitte & Touche submits a bid. Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

Investment of Lancaster Leasing Corporation Reserve Funds

Kroeker recommended that \$451,000 in Lancaster Manor bond issue reserve funds be transferred from the Money Market to the Nebraska Public Agency Investment Trust (NPAIT).

Hudkins indicated that he is a member of the NPAIT Board of Directors.

MOTION: Workman moved and Schorr seconded to authorize Dave Kroeker, Budget and Fiscal Officer, to invest \$451,000 in Lancaster Manor bond issue reserve funds in the Nebraska Public Agency Investment Trust (NPAIT). Workman, Schorr and Stevens voted aye. Hudkins abstained from voting, due to a conflict of interest. Motion carried.

6 REVIEW OF QUESTIONABLE CLAIM (U-STOP AT 56TH & HOLDREGE STREET) - Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, reviewed a claim from U-Stop dating back to 2001 for car washes (\$120). He recommended payment of the claim, even though the County does not have a contract with U-Stop for this service and the claim is over 90 days. Jarrett said the deputies who utilized the U-Stop car wash have been notified that they can no longer do so.

MOTION: Schorr moved and Workman seconded to authorize payment of the claim.

Eagan said the claim needs to be submitted to the County Clerk's office and flagged as a questionable claim.

The maker of the motion and the seconder withdrew their motion.

MOTION: Schorr moved and Workman seconded to direct the County Clerk's Office to process the claim from U-Stop as a questionable claim and to schedule it on the Board of Commissioners Meeting agenda. Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

7 PENDING LITIGATION - Kristy Mundt, Deputy County Attorney

MOTION: Workman moved and Schorr seconded to enter Executive Session at 10 a.m. for discussion of pending litigation. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

MOTION: Schorr moved and Workman seconded to exit Executive Session at 10:07 a.m. Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

8 ELECTRIC FENCES IN PUBLIC RIGHT-OF-WAY - Larry Worrell, County Surveyor

Larry Worrell, County Surveyor, requested a policy to govern electrical fences in the public right-of-way and suggested that it be based on a County Attorney's Opinion dated July 23, 1991 (see agenda packet). He said fences and livestock on the untraveled portion of the public right-of-way impede maintenance and can interfere with the safety of travelers.

Hudkins said he agrees that permanent fences should not be built in the public right-of-way but said incidental grazing helps maintain road ditches.

Workman suggested restriction to temporary use, on a time and material basis.

Worrell said he does not believe fences should be located in the public right-of-way at all.

Hudkins said there may be a distinction in terms of whether the County owns the right-of-way or not.

Schorr said public safety should take precedence.

Hudkins said anyone traveling a county road needs to watch out for animals on the road. He said the Western States Land Initiative holds that the driver, not the animal's owner, is liable if an animal is hit unless he/she does not have adequate fencing or has been repeatedly warned of the problem.

MOTION: Workman moved and Hudkins seconded to: 1) Direct staff to draft a resolution for further discussion including the points that were raised; and 2) Consider public hearings on the matter. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

9 APPRAISER APPRENTICE - Rob Ogden, Chief Field Deputy Assessor/Register of Deeds

Rob Ogden, Chief Field Deputy Assessor/Register of Deeds, requested authorization to make the following changes to staffing: 1) Eliminate One Property Appraisal Technician Position; and 2) Add One Appraiser Apprentice Position. He said the \$700 difference will be absorbed by the budget.

MOTION: Hudkins moved and Schorr seconded approval of the request. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

10 ACTION ITEMS

A. Items for City-County Common Meeting (December 1, 2003)

The Board asked that enforcement of zoning authority within the City's three mile zoning jurisdiction be added to the agenda.

B. Software Maintenance Agreement for Families First & Foremost (F³)

MOTION: Schorr moved and Hudkins seconded approval of the software maintenance agreement and authorized signature by the Vice Chair. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

C. Hiring Request from Lancaster Manor (Plant Operations Manager)

MOTION: Schorr moved and Hudkins seconded approval. Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

D. Microcomputer Request C#2003-418, \$17,758.63 from the Families First & Foremost (F³) Budget for 11 Pentium IV's with Monitors and Software

MOTION: Workman moved and Stevens seconded approval, stipulating that the equipment is to be labeled county property.

Schorr said she would like additional clarification.

The maker of the motion and the seconder withdrew their motion.

Board consensus was to schedule the item on the November 25, 2003 Board of Commissioners Meeting agenda.

11 ADMINISTRATIVE OFFICER REPORT

- A. Meeting with Local Political Entities and State Senators Regarding Legislative Agendas (Tuesday, November 25, 2003 at 1 p.m.)

Eagan and Gordon Kissel, Legislative Consultant, will attend the meeting.

- B. Letter of Support for Reauthorization of Juvenile Accountability Incentive Block Grant (JAIBG) Funds

MOTION: Workman moved and Schorr seconded to authorize sending letters supporting reauthorization of Juvenile Accountability Incentive Block Grant (JAIBG) funding to Congressman Douglas Bereuter, Congressman Lee Terry, Congressman Tom Osborne, Senator Chuck Hagel and Senator E. Benjamin Nelson. Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

- C. Nebraska Association of County Officials (NACO) Workshop (February 11-13, 2004)

Workman indicated plans to attend the workshop.

- D. Agricultural and Horticultural Land Valuation Board (AHLVB) Survey from Nebraska Association of County Officials (NACO)

Hudkins will assist Eagan in completing the survey.

- E. Keno Public Hearing

Board consensus was to hold a public hearing for the purpose of receiving public input regarding the projects for which the County Board intends to use Keno Funds on December 2, 2003.

Schorr said she would like to see funding of the Peoples' Health Center.

ADDITIONS TO THE AGENDA

D. Amendment to the City's Proposed Smoking Ordinance to Include the City's Three Mile Zoning Jurisdiction (Exhibit C)

MOTION: Hudkins moved and Workman seconded to send a letter to the City Council, with signature by the Vice Chair, outlining concerns regarding the basis of authority and enforcement provisions. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

12 ADJOURNMENT

MOTION: Workman moved and Hudkins seconded to adjourn the meeting at 11:29 a.m. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk